

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	No. 3:05-CR-148
	)	(Phillips / Guyton)
VICENTE CORONA,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court on the United States' Motion to Admit Summary Exhibits and Explanatory Testimony by Postal Inspector Wendy Boles Related Thereto Pursuant to Federal Rule of Evidence 611(a) [Doc. 330], along with supporting Memorandum of Law [Doc. 331].

The United States relies on Federal Rule of Evidence 611(a) for admission of the proposed summary. Rule 611 addresses the Mode and Order of Interrogation and Presentation, subsection (a) reads:

(a) Control by court. The court shall exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to (1) make the interrogation and presentation effective for the ascertainment of the truth, (2) avoid needless consumption of time, and (3) protect witnesses from harassment or undue embarrassment.

Fed. R. Evid. 611 (a).

The Court has reviewed the proposed summary charts of United Parcel Service shipments as filed by the government, [Doc. 331-2], and finds that they are an appropriate presentation of the records they are believed to represent. United States' Motion to Admit Summary Exhibits and

Explanatory Testimony by Postal Inspector Wendy Boles Related Thereto Pursuant to Federal Rule of Evidence 611(a) [Doc. 330] is **GRANTED**. The proposed summary charts attached thereto will be admissible as evidence at trial, conditioned on the admission in evidence of the underlying documents and testimony, and subject to proper limiting instructions. The United States may offer these as evidence and present to the jury these summary charts through Postal Inspector Wendy Boles, United States Postal Inspection Service. See United States v. Scales, 594 F.2d 558, 563 (6th Cir. 1979); United States v. Paulino, 935 F.2d 739, 753 (6th Cir. 1991).

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge